p10

C.F. 71.

19 38

Department of Revenue

OFFICE Board of Revenue

STATION Madras

No. No. 610

7920
37

28-2-39

Dated 28.2.39

DISPATCHED
7-MAR 1939

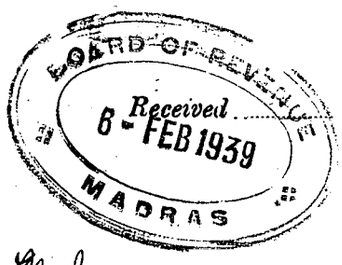
Pages in the file

(SUBJECT.)

Alienation - land - Revenue - (Coimbatore)
college taluk - Singapuram village - S.No. 287 / F.L
Flower garden - reserved for the use living there

C.F. 30.

REVENUE **DEPARTMENT.**



19 *Registered* E720 19

Subject.

Alienation - Land and Revenue - Kollegal Taluk - Linganapuram village - S.No. 287/F.2 - Flower garden - Proposals.

***

ENCLOSURES.
No.
Spare copies

Ref: - No 6546/38-A.1.

Station Coimbatore., *Dated the* 2nd February 1939. 19

From (Name) D.D. Warren, Esq., M.C., I.C.S.,

(Designation) Collector of Coimbatore.

To The Secretary to the ~~Government of Madras~~ Board of Revenue;

Land Revenue and Settlement ~~Department~~.

Madras.

Sir,

An extent of 5 cents in S.No.287/F of Linganapuram village, Kollegal Taluk, is used for a flower garden for the Basuveswaraswami temple of Kempapuradoddi. The garden came into existence four years ago. This portion is now sub-divided as S.No. 287/F.2. Sivananjappa is the pujari and Manager of the temple for the time being. The temple is a public temple and it is reported that it has been in existence for over two hundred years.

2. It is now proposed to alienate the portion sub-divided as S.No.287/F.2 to the Manager for use as a flower garden for the temple. Sivananjappa has agreed to the usual conditions applicable to the case.

2

3. Notice was published in the village. The villagers have no objection to the proposed alienation.

4. The land is valued at Rs.15/- a cent on the basis of sale of lands in the vicinity. The value of the 5 cents of land including the capitalised value of assessment comes to Rs.76-9-0. There are no trees on the land. The alienee has to pay the value of 5 stones viz., Rs.1-14-0 and this he has agreed to. No communal trouble is likely to arise on account of the proposed alienation.

5. I recommend that the land sub-divided as 287/F.2 may be alienated in favour of the Manager for the time being of the Basuveswaraswami temple, free of charge for the occupancy right but subject to the usual conditions of alienation and the payment of the stone value of Rs.1-14-0.

6. Alienation statements of land and revenue, topo and plotted sketches and a copy of the conditions of alienation agreed to by the Manager of the temple are enclosed.

4-2-39.

for Collector.

I.N.1/4-2-39.

Encs:-

1. Alienation conditions.
2. Sub-division records (in duplicate.)
3. One topo sketch.
4. Alienation statements of land and revenue.

R.F. XVIII-B-4—4,588—29-12-21.

Appendix XXVIII. (*B.O. No. 24, paragraph 9.*)

Application for the alienation of land in which the proprietary right belongs to the State.

DISTRICT Coimbatore.

1	Description and area.	S. No. 287/F.2 of Linganapuram village in Kollegal taluk, measuring 0.05 acres.
2	Value .. (*a*) ~~Freehold~~ .. .. (*b*) ~~Subject to ground-rent or assessment.~~	Market value. Rs.75/- at Rs.15/- per cent.
3	Alienees and purpose of alienation ..	Manager for the time being of Basuveswaraswami temple of Kempanpalaiyam. For use as a ~~flower garden for the use of the temple.~~ Recommended.
4	Collector's remarks	Recommended. 4.2.21 for Collector.

4/2

Note.—The difference between the amounts of 2 (*a*) and 2 (*b*) should equal 25 times assessment or ground-rent calculated according to B.S.O. No. 21.

R.F. XVIII-B-4—1,000—20-12-21.

Appendix XXVIII. (*S.O. No. 24, paragraph 9.*)

Revenue

Application for the alienation of land in which the proprietary right belongs to the State.

DISTRICT Coimbatore. Northern Province

1	Description and area.	S. No. 287/F.2 of Linganapuram village in Kollegal taluk, measuring 0.05 acres.
2	Value .. Annual assessment. (*a*) Freehold	Rs.0-1-0
	(*b*) Subject to ground-rent or 25 times assessment. Capitalised value	Rs.1-9-0
3	Alienees and purpose of alienation ..	Manager for the time being of Basuveswaraswami temple of Kempanpalaiyam. For use as flower garden for use of the temple.
4	Collector's remarks	Recommended. 4.2.25 for Collector.

Note.—The difference between the amounts of 2 (*a*) and 2 (*b*) should equal 25 times assessment or ground-rent calculated according to B.S.O. No. 21.

7

Conditions of alienation of land and land revenue for flower garden.

(1) The land shall be used for the purpose of flower garden only and for no other purpose.

(2) The Government may resume the land wholly or in part with any buildings thereon in the event of the infringement of any of the conditions of the grant. In the event of such resumption no compensation shall be payable for any improvements that may have been effected or other works that may have been executed on the land by the grantee. If there are buildings on the land the Government may direct the grantee to remove them.

(3) The Government may resume the land wholly or in part with any buildings thereon if in the opinion of the Government the land is required for a public purpose or for conducting mining operations.

(4) In the event of such resumtion under clause (3) if there are buildings on the land the Government may at their option either:

(a) purchase the buildings or
(b) direct the grantee to remove the buildings.

(5) In the event of the resumption of the land followed by purchase of the buildings under condition (4) or in the event of the acquisition of the land for any reason, the compensation payable for buildings or other improvements shall in no case exceed the initial cost or the value at the time of resumption or acquisition whichever may be less, of any buildings erected or other improvements effected on the land by the grantee in accordance with the terms of the grant.

(6) In the event of the grantee refusing to remove the buildings when so directed under condition 2 or 4 the Government may remove them and realize the cost of the removal by the sale of the materials

(7) In the event of the voluntary relinquishment of the land by the grantee, no compensation shall be payable for any improvements that may have been effected or other works that may have been executed on the land by the grantee.

(8) The site shall not be used for the private benefit of the alienee nor shall he lay any claim to it.

(9) The land shall not be alienated without the previous permission of the Collector.

(10) The grantee shall maintain the flower garden in good condition and to the satisfaction of the Collector.

(11) No buildings shall be constructed on the site without the previous permission of the Collector and no compensation shall be payable in the event of resumption or acquisition, for any buildings erected without such permission.

(12) Full assessment shall be levied if at any time it is found that any income is derived from the land.

(13) The alienee agrees to pay stone value due on the land.

(14) The flower garden shall be accessible to all castes and communities of the village.

(15) The Government reserve to themselves the right of the sandalwood trees and their branches and roots which exist at the time of alienation as well as those which may grow subsequently on the land, or dig out any such ~~roots~~ trees or their roots and branches and remove them from the land and dispose of them at their pleasure. The alienee shall not be entitled to cut or remove them or cause them to be cut or removed without the permission of the Collector of the district.

(16)

(16) The alienee shall take all reasonable measures to the satisfaction of the Collector of the district for the protection of the sandalwood trees from theft or damage and for the careful protection of the immature trees growing on the land.

(17) The alienee shall take steps to see that the marks made by the officers of the Government on the sandalwood trees are preserved and are not tampered with.

(18) In the event of the infringement of or failure to observe any of the conditions 15 to 17 the alienee shall pay to the Government such compensation as is determined by the Collector of the District for any loss or damage caused by such infringement or failure on his part. The Government shall also be at liberty to resume the land and re-enter on it and the whole land shall thereupon ~~vest~~ absolutely in the Government. In that case, the alienee shall not be entitled to any compensation whatever.

(~~19~~ 12) Full land revenue or ground-rent shall be levied if at any time any net income is derived from the land or if any of the conditions of alienation are infringed. In the latter case, the land revenue or grpund-rent shall be levied from the date of the infringement.

------:oooooo:------

Conditions (9), 9, and 10 are not generally used for similar purposes now, but there is no objection to their finding place in the order of alienation, as they have been agreed to by the alienee

82

(Full Board) 9

Rec'd for Rc
UB 4/3 28/2

ALIENATION - Land - Revenue - ~~Buildings~~ -

(Coimbatore) Kollegal Taluk -

Lingapuram Village/~~town~~ - S.No. 287 f 2 - Flower garden to the Temple - Manager for the time being of the Temple - Sanctioned

Recommended.

Sanctioned.

6/3
7/3

E 7/20-39 Q pp 1-2 er

Res Mis 1/10 D 28-2-39

~~At the instance of the Collector of the~~ ....

The Board ~~recommends~~ sanctions the alienation of the plot of land comprised in S.No. 287 | f 2 of Lingapuram village Kollegal taluk measuring Ac. 0.0.5 in favour of the ~~trustee~~ manager for the time being of Basaveswara-swami Temple for use as the site of a flower garden for the use of the temple.

11

2. The alienation will be free of charge for the occupancy right and free of ~~ground rent~~ assessment but ~~subject to assessment which will be liable to revision and subject to the payment of Rs. being the value of the trees standing on the land and~~ subject also to the following conditions to which the alienee has agreed

(1) The land shall be used as the site of a Flower garden for the use of the temple and for no other purpose.

(2) No ~~other~~ building shall be constructed on the land without the previous permission of the Collector of the district.

(3) The site shall not be used for the private benefit of the alienee nor shall he have any claim to it

(4) The land shall not be alienated without the previous permission of the Comr. of the Dt.

(5) The ~~grantee~~ alienee shall maintain and ~~manage~~ manage the flower garden to the satisfaction of the Comr.

(6) The Government may resume the land wholly or in part with any buildings thereon, in the event of the infringement of any of the conditions of the grant. In the event of such resumption no compensation shall be payable for any improvements that may have been effected or other works that may have been executed on the land ~~of~~ by the grantee ~~(and the grantee shall not be entitled to the repayment of any amount that may have been paid to the Government for the grant)~~. If there are buildings on the land, the Government may direct the grantee to remove them.

(7) The Government may resume the land wholly or in part with any buildings thereon if in the opinion of the Government the land is required for a public purpose, or for conducting mining operations. ~~(in the event of such resumption~~ or in the event of the acquisition of the land for any reason the compensation payable for the land and trees shall in no case exceed the amount paid for them by the grantee or their value at the time of resumption or acquisition whichever may ~~be less~~.

(8) In the event of resumption under condition (7) if there are buildings on the land the Government may at their option either,

(a) purchase the buildings, or
(b) direct the grantee to remove the buildings.

(9) In the event of the resumption of the land followed by the purchase of the buildings under condition (8 or in the event of the acquisition of the land for any reason the compensation payable for buildings or other improvements shall in no case exceed ~~(the amount paid for them by the grantee at the time of alienation or their value at the time of resumption or acquisition, whichever may be less, together with)~~ the

15

the initial cost or the value at the time of resumption or acquisition, which ever may be less, of any buildings erected or other improvements effected on the land by the grantee in accordance with the terms of the grant. But in no circumstances shall any compensation be paid by the Government in respect of buildings constructed in contravention of condition (3).

10 In the event of the grantee refusing to remove the buildings when so directed under condition (6) or (8) the Government may remove them and realise the cost of removal by the sale of the materials.

(11) In the event of the voluntary relinquishment of the land by the grantee no compensation shall be payable for any improvements that may have been effected or for works that may have been executed on the land by the grantee ~~and the grantee shall not be entitled to the repayment of any amount that may have been paid to the Government for the grant.~~

(12) Full land revenue shall be levied if at any time any net income is derived from the land or if any of the conditions of the alienation are infringed. In the latter case the land revenue shall be levied from the date of the infringement.

To the Secretary to Government,
Revenue Department, with alienation statements
(pages to be copied & sent) & sketches
(pages in original).

~~To the Collector of:~~

13) The Government reserve to themselves the right to all sandalwood trees and their branches and roots which exist at the time of alienation as well as those which may grow subsequently on the land and the Government shall be at liberty to cut or dig out any such trees or their roots and branches and remove them from the land and dispose of them at their pleasure. The alienee shall not be entitled to cut or remove them or cause them to be cut or removed without the permission of the Collector of the district.

14) The alienee shall take all reasonable measures the satisfaction of the Collector of the district for the protection of the sandalwood trees from theft or damage and for the careful protection of the immature trees growing on the land.

15) The alienee shall take steps to see that the marks made by the officers of the Government on the sandalwood trees are preserved and are not tampered with; and

16) In the event of the infringement or, or failure to observe, any of the conditions (~~6~~ 13) to (~~10~~ 15), the alienee shall pay to the Government such compensation as is determined the Collector of the district for any loss or damage caused by such ~~infringement~~ infringement or failure on his part. The Government shall also be at liberty to resume the land and re-enter on it and the whole land shall thereupon vest absolutely in the Government. In that case the alinee shall not be entitled to any compensation whatever.

To the Collr. of Coimbatore with enels ref.

~~Blank sheet~~ attached to docket

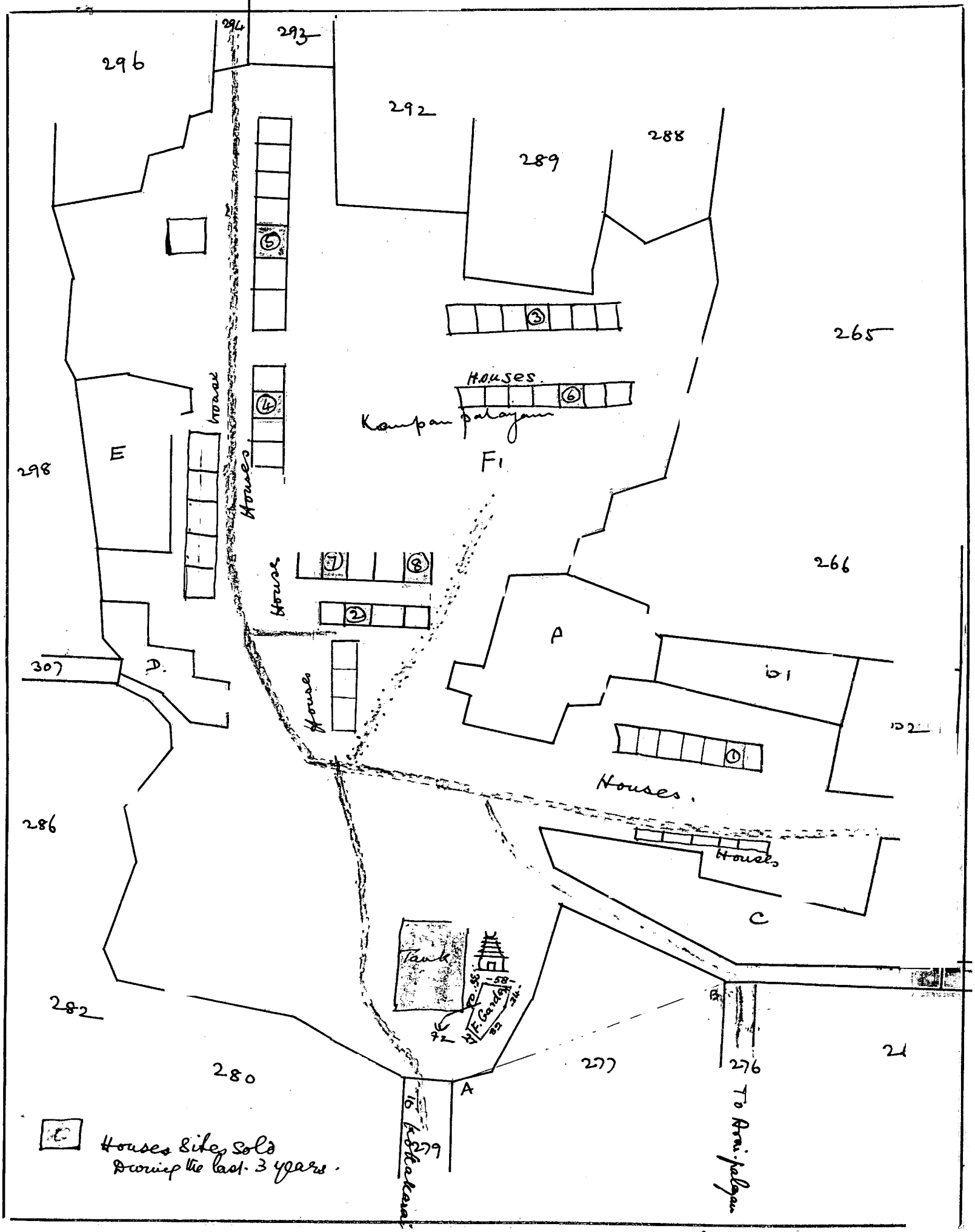
District Coimbatore

Taluk Kollegal.

Village { No. 16
Name Lingamapuram

Field No. 287.

Area 16-08 Acres.



Tahsildar

1 '52

HS/52

Noted file

Alienation - Land - Revenue - (Coimbatore)

Kollegal taluk - Lingavanapuram village S.No. 287/F -

Flower garden - ~~Trustee~~ Manager for the time being of the Siva temple

Proposal

pp 1-2 ef E.720.39/Collr. of Coimbatore-Ref 6546-38.H1 dt 2.2.39.

Sketch at (A) (W)

b/ef An extent of 5 cents of nanjam poramboke in S.No. 287/F (now subdivided as 287/F2) of Lingavanapuram village Kollegal taluk is encroached upon occupied by a flower garden by one Swaminathappa Manager for the time being of the Basaveswara-swami temple. The garden came into existence four years ago. The Collr. recommends the alienation of this plot in favour of the manager of the temple. The villagers have no objection to the proposal and no communal trouble is likely to arise on account of the alienation. There are no trees on the land. The ~~Trustee~~ Manager has agreed to abide by the ~~necessary~~ necessary conditions of the alienation.

The market value of the land is Rs. 75/

The capitalised value of assessment is Rs. 1-9-0

The Full Board may sanction the alienation free of market value and of land revenue.

28/1/39

11.1.39/15.2.39

11.2.39

M-1 15/2/39

21/2/39

~~Single Member.~~

B.P. No. B 610

~~Two Members.~~

Dated 28239

Full Board. ✓

A.D.S. Asst. Secretary.

I-A. & L.R. Land Rev. Sett. Sep. Rev. J.S. Secy. M/3 M/2 M/1

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(1) Open file seen by ✓

(2) Final draft seen by ✓

(3) Now circulated to

(4) Initials

Passed for record.

Secretary
Joint Secretary.

~~A.S. (C.W.)~~

A. S. (L.R.) ✓ 4/7/1939

A. S. (Sett.)

A. S. (~~C.W.~~) Excise.

A.D.S. & L.R.

I-A.

*** Note.- Entries not required to be scored out.